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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,224	07/31/2003	Michael Alumbaugh	03-0451 / LSI.72US01	3696
24319	7590	03/13/2008		
LSI CORPORATION 1621 BARBER LANE MS: D-106 MILPITAS, CA 95035			EXAMINER PRITCHETT, JOSHUA L	
			ART UNIT 2872	PAPER NUMBER
			MAIL DATE 03/13/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/633,224	Applicant(s) ALUMBAUGH ET AL.	
	Examiner JOSHUA L. PRITCHETT	Art Unit 2872	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/03</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4, 6, 7, 10, 11, 13 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Admitted Prior Art. The citations are from the current specification.

Regarding claims 1, 6 and 10, Admitted Prior Art discloses providing a set of master files for duplication, the master files comprising digital electronic executable programming files and non-executable data files (page 1 lines 17-18), verifying the master files are complete and functional (page 1 lines 20-22) combining the master files into an image file (page 1 lines 22-23) verifying the image file contains a functional duplicate of the master files (page 1 lines 20-22) storing the image file on a memory device (page 1 line 14) verifying the memory device contains a functional duplicate of the image file (page 1 lines 20-22) copying the image file from the memory device to a master compact disc (page 1 lines 14-15) extracting any graphical representation material contained in the image file (page 1 lines 28-29) labeling a surface of the master compact disc with the graphical representation material contained in the image file (page 1 lines 18-19) verifying the master compact disc contains a functional duplicate of the image

filed (page 1 lines 20-22) verifying the surface of the master compact disc displays a functional duplicate of the graphical representation material contained in the image file (page 1 lines 20-22) copying the image file from the memory device to a compact disc making machine (page 1 line 31 – page 2 line 1) copying the image file from the compact disc making machine to a blank compact disc to produce a production compact disc (page 1 line 31 – page 2 line 1) verifying that the production compact disc contains a functional duplicate of the graphical representation material contained in the image file (page 1 lines 20-22) and verifying the production compact disc contains a functional duplicate of the image file from the compact disc making machine (page 1 lines 20-22).

Regarding claims 2, 7 and 11, Admitted Prior Art discloses including graphical information within the master files (page 1 lines 22-23).

Regarding claims 4 and 13, Performance of the production necessitated by demand for the production compact disc is inherent in the compact disc production process. If there is no desire for the compact disc to be produced then an operator would not make a disc or schedule a disc to be made.

Regarding claim 14, Admitted Prior Art discloses the first and second labeling devices are contained within the compact disc making machine (page 1 lines 18-20).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2872

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 5, 8, 9 and 12 rejected under 35 U.S.C. 103(a) as being unpatentable over
Admitted Prior Art.

Admitted Prior Art teaches the invention as claimed but lacks reference to formatting the disc in accordance with International Organization for Standardization. It is extremely well known in the art to format a disc in accordance with International Organization for Standardization. Official Notice is taken. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the Admitted Prior Art format the disc in accordance with International Organization of Standardization for the purpose of allowing the disc to be read by computers.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSHUA L. PRITCHETT whose telephone number is (571)272-2318. The examiner can normally be reached on Monday - Friday 7:00 - 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone B. Allen can be reached on 571-272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Joshua L Pritchett/
Primary Examiner
Art Unit 2872